

**FILED**

**DEC 18 2003**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON

U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

FRED GROVES,

Plaintiff - Appellant,  
Cross- Appellee

v.

GREYHOUND LINES INC.,

Defendant - Appellee,  
Cross-Appellant

v.

GREYHOUND LINES INC.,

Third-party-plaintiff,

v.

GILBERT J. FAGANI,

Third-party-defendant.

No. 02-35771

02-35772

D.C. No. CV-00-00118-SEH

ORDER AMENDING

Before: D.W. NELSON, KOZINSKI, and McKEOWN, Circuit Judges.

The Memorandum Disposition filed October 17, 2003 is amended as follows:

1. At \*4 of the Memorandum Disposition, in the first sentence of the final paragraph, change “Reversed and Remanded with respect to the apportionment of liability and the resulting inconsistent verdict.” to “REVERSED AND REMANDED for a new trial on liability and damages, excluding punitive damages.”

With these amendments, the panel has voted to deny the petition for panel rehearing.

The petition for panel rehearing is DENIED.